



11/122,346 PCT/PTO 17 JAN 2006

PATENT

Attorney Docket No.: 2901US(203-3634PCTUS)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Chapman et al. Examiner: Not Assigned
Serial No.: 10/552,666 Group Art Unit: Not Assigned
Filed: October 4, 2005 Dated: January 13, 2006
For: ELECTROSURGICAL INSTRUMENT WHICH REDUCES
THERMAL DAMAGE TO ADJACENT TISSUE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to Applicant(s) duty of disclosure, the information listed in the attached form PTO-1449 is brought to the attention of the Examiner. It is respectfully submitted that copies of the references listed on pages 1-13 are not required since this application was filed after June 30, 2003 pursuant to 51 C.F.R. 1.98. Copies of foreign references and publications listed on pages 14-19 of form PTO-1449 are enclosed.

Applicant would also like to bring commonly-owned U.S. Application No. 11/122,346 filed on May 5, 2005; U.S. Application No. 11/169,927 filed on June 29, 2005; U.S. Application No. 11/170,616 filed on June 29, 2005; U.S. Application filed on December 23, 2005; U.S. Application No. 11/225,260 filed on September 13, 2005; U.S. Application No. 11/225,783 filed on September 13, 2005; U.S. Application No. 10/461,550 filed on June 13, 2003; U.S. Application No. 11/184,338 filed on

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 13, 2006
Dated: January 13, 2006

Edward C. Meagher

July 19, 2005; U. S. Application No. 11/232,174 filed on September 21, 2005; U.S. Application No. 11/230,027 filed on September 19, 2005; U.S. Application No. 11/242,488 filed on October 3, 2005; U.S. Application No. 11/232,410 filed on September 22, 2005; U.S. Application No. 10/937,455 filed on September 9, 2004; U.S. Application No. 11/207,956 filed on August 19, 2005; U.S. Application No. 11/232,256 filed on September 21, 2005; U.S. Application No. 11/255,843 filed on October 21, 2005; U.S. Application No. 11/239,767 filed on September 30, 2005; U.S. Application No. 11/248,886 filed on October 12, 2005; U.S. Application No. 11/095,123 filed on March 31, 2005; U.S. Application No. 11/285,432 filed on November 22, 2005; and U.S. Application No. 11/285,425 filed on November 22, 2005 to the Examiner's attention. Copies of these applications are enclosed.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

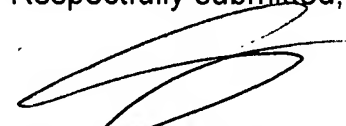
[] This information disclosure statement is being filed within three (3) months of the filing date of this application.

- ☐ This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application.
- ☒ To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.
- ☐ Enclosed herewith is a certificate under 37 C.F.R. §1.97(e)(1).
- ☐ Enclosed herewith is a petition under 37 C.F.R. §1.97(d)(2).
- ☐ Enclosed by check is the petition fee of \$130.00. (37 C.F.R. §1.17(i)(1))
- ☐ Please charge the \$130.00 petition fee to Deposit Account No. **21-0550**.
- ☐ Enclosed by check is the \$180.00 fee required by 37 C.F.R. §1.17(p).
- ☐ Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. **21-0550**.
- ☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account **21-0550**. Also, in the event any extensions of time for responding are required for the pending

application(s), please treat this paper as a petition to extend the
time as required and charge Deposit Account No. **21-0550** therefor.

The claims of the application as now presented are believed to patentably
distinguish over the prior art and to be in condition for allowance. Early and favorable
consideration of the case is respectfully requested.

Respectfully submitted,



Edward C. Meagher
Reg. No. 41,189
Attorney for Applicant(s)

Carter, DeLuca, Farrell & Schmidt, LLP

445 Broad Hollow Road

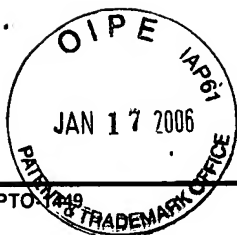
Suite 225

Melville, New York 11747

Tel.: (631) 501-5700

Fax: (631) 501-3526

ECM/gm



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Sheet

1 of

19

Form PTO-1249

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

(Use several sheets if necessary)

Docket Number (Optional)
2901US(203-3634PCTUS)Application Number
10/552,666

Applicant

Chapman et al.

Filing Date

October 4, 2005

Group Art Number

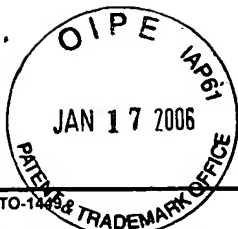
U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	RE36795	7/25/00	RYDELL			
	371,664	10/18/1887	BRANNAN ET AL.			
	702,472	6/17/1902	PIGNOLET			
	728,883	5/26/1903	DOWNES			
	1,586,645	6/1/26	BIERMAN			
	2,002,594	5/28/35	WAPPLER ET AL.			
	2,011,169	8/13/35	F.C. WAPPLER			
	2,031,682	2/25/36	WAPPLER ET AL.			
	2,176,479	10/17/39	WILLIS			
	2,305,156	4/17/41	GRUBEL			
	2,632,661	8/14/48	CRISTOFV			
	2,668,538	2/9/54	BAKER			
	2,796,065	6/18/57	KAPP			
	3,459,187	3/9/67	PALLOTTA			
	3,643,663	2/22/72	SUTTER			
	3,651,811	3/28/72	HILDEBRANDT ET AL.			
	3,862,630	1/28/75	BALAMUTH			
	3,866,610	2/18/75	KLETSCHKA			
	3,911,766	10/14/75	FRIDOLPH ET AL.			
	3,920,021	11/18/75	HILTEBRANDT			
	3,921,641	11/25/75	HULKA			
	3,938,527	2/17/76	RIOUX ET AL.			
	3,952,749	4/27/76	FRIDOLPH ET AL.			
	4,005,714	2/1/77	HILTEBRANDT			
	4,074,718	2/21/78	MORRISON, JR.			
	4,088,134	5/9/78	MAZZARIELLO			

Examiner

Date Considered

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Form PTO-1449

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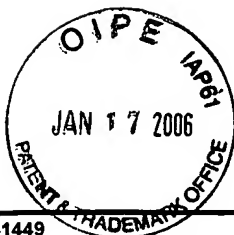
U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	4,165,746	8/28/79	BURGIN			
	4,300,564	11/17/81	FURIHATA			
	4,370,980	2/1/83	LOTTICK			
	4,416,276	11/22/83	NEWTON ET AL.			
	4,452,246	6/5/84	BADER ET AL.			
	4,492,231	1/8/85	AUTH			
	4,552,143	11/12/85	LOTTICK			
	4,574,804	3/11/86	KURWA			
	4,597,379	7/1/86	KIHN ET AL.			
	4,600,007	7/15/86	LAHODNY ET AL.			
	4,657,016	4/14/87	GARITO ET AL.			
	4,662,372	5/5/87	SHARKANY ET AL.			
	4,671,274	6/9/87	SOROCHENKO			
	4,685,459	8/11/87	XOCH ET AL.			
	4,763,669	8/16/88	JAEGER			
	4,827,929	5/9/89	HODGE			
	4,887,612	12/19/89	ESSER ET AL.			
	4,938,761	7/3/90	ENSSLIN			
	4,985,030	1/15/91	MELZER ET AL.			
	5,007,908	4/16/91	RYDELL			
	5,026,370	6/25/91	LOTTICK			
	5,099,840	3/31/92	GOBLE ET AL.			
	5,116,332	5/26/92	LOTTICK			
	5,147,357	9/15/92	ROSE ET AL.			
	5,151,102	9/29/92	XAMIYAMA ET AL.			
	5,176,695	1/5/93	DULEBOHN			
	5,190,541	3/2/93	ABELE ET AL.			
	5,197,964	3/30/93	PARINS			
	5,215,101	6/1/93	JACOBS ET AL.			
	5,217,457	6/8/93	DELAHUERGA ET AL.			
	5,217,458	6/8/93	PARINS			
	5,244,462	9/14/93	DELAHUERGA ET AL.			
	5,250,047	10/5/93	RYDELL			

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19

Form PTO-1449

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

(Use several sheets if necessary)

Docket Number (Optional)

2901US(203-3634PCTUS)

Application Number

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Applicant

Chapman et al.

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Group Art Number

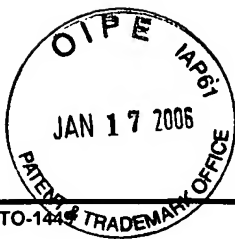
U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	5,258,006	11/2/93	RYDELL ET AL.			
	5,261,918	11/16/93	PHILLIPS ET AL.			
	5,275,615	1/4/94	ROSE			
	5,277,201	1/11/94	STERN			
	5,282,799	2/1/94	RYDELL			
	5,290,286	3/1/94	PARINS			
	5,304,203	4/19/94	EL-MALLAWANY ET AL.			
	5,308,357	5/3/94	LICHTMAN			
	5,318,589	6/7/94	LICHTMAN			
	5,324,289	6/28/94	EGGERS			
	5,330,471	7/19/94	EGGERS			
	5,334,183	8/2/94	WUCHINICH			
	5,334,215	8/2/94	CHEN			
	5,336,221	8/9/94	ANDERSON			
	5,342,359	8/30/94	RYDELL			
	5,342,381	8/30/94	TIDEMAND			
	5,342,393	8/30/94	STACK			
	5,352,222	10/4/94	RYDELL			
	5,354,271	10/11/94	VODA			
	5,356,408	10/18/94	RYDELL			
	5,366,477	11/22/94	LEMARIE, III ET AL.			
	5,383,897	1/24/95	WHOLEY			
	5,389,098	2/14/95	TSURUTA ET AL.			
	5,389,104	2/14/95	HAHNEN ET AL.			
	5,391,166	2/21/95	EGGERS			

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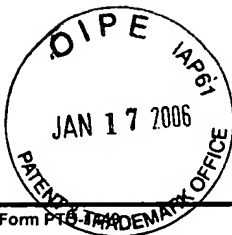
Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number (Optional) 2901US(203-3634PCTUS)	Application Number 10/552,666
	Applicant Chapman et al.	
	Filing Date October 4, 2005	Group Art Number

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	5,391,183	2/21/95	JANZEN ET AL.			
	5,403,312	4/4/95	YATES ET AL.			
	5,411,519	5/2/95	TOVEY ET AL.			
	5,411,520	5/2/95	NASH ET AL.			
	5,413,571	5/9/95	KATSAROS ET AL.			
	5,415,657	5/16/95	TAYMOR-LURIA			
	5,422,567	6/6/95	MATSUNAGA			
	5,423,810	6/13/95	GOBLE ET AL.			
	5,425,739	6/20/95	JESSEN			
	5,429,616	7/4/95	SCHAFFER			
	5,431,674	7/11/95	BASILE ET AL.			
	5,437,292	8/1/95	KIPSHIDZE ET AL.			
	5,438,302	8/1/95	GOBLE			
	5,441,517	8/15/95	KENSEY ET AL.			
	5,443,463	8/22/95	STERN ET AL.			
	5,443,464	8/22/95	RUSSELL ET AL.			
	5,443,480	8/22/95	JACOBS ET AL.			
	5,445,638	8/29/95	RYDELL ET AL.			
	5,445,658	8/29/95	DURRFELD ET AL.			
	5,451,224	9/19/95	GOBLE ET AL.			
	5,456,684	10/10/95	SCHMIDT ET AL.			
	5,458,598	10/17/95	FEINBERG ET AL.			
	5,460,629	10/24/95	SHLAIN ET AL.			
	5,462,546	10/31/95	RYDELL			
	5,472,443	12/5/95	CORDIS ET AL.			
	5,478,351	12/26/95	MEADE ET AL.			

Examiner	Date Considered
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Form PTO-100

INFORMATION DISCLOSURE CITATION IN AN APPLICATION

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Docket Number (Optional)

2901US(203-3634PCTUS)

Application Number

10/552,666

Applicant

Chapman et al.

Filing Date

October 4, 2005

Group Art Number

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	5,484,436	1/6/96	EGGERS ET AL.			
	5,496,317	3/5/96	GOBLE ET AL.			
	5,496,347	3/5/96	HASHIGUCHI ET AL.			
	5,499,997	3/19/96	SHARPE ET AL.			
	5,509,922	4/23/96	ARANYI ET AL.			
	5,514,134	5/7/96	RYDELL ET AL.			
	5,527,313	6/18/96	SCOTT ET AL.			
	5,531,744	7/2/96	NARDELLA ET AL.			
	5,536,251	7/16/96	EVARD ET AL.			
	5,540,684	7/30/96	HASSLER, JR.			
	5,540,685	7/30/96	PARINS, ET AL.			
	5,540,715	7/30/96	KATSAROS ET AL.			
	5,558,672	9/24/96	EDWARDS ET AL.			
	5,569,241	10/29/96	EDWARDDS			
	5,569,243	10/29/96	KORTENBACH ET AL.			
	5,571,100	11/5/96	GOBLE ET AL.			
	5,573,424	11/12/96	POPPE			
	5,573,535	11/12/96	VIKLUND			
	5,582,611	12/10/96	TSUKAGOSHI ET AL.			
	5,585,896	12/17/96	YAMAZAKI ET AL.			
	5,590,570	1/7/97	LEMAIRE, III ET AL.			
	5,603,711	2/18/97	PARINS, ET AL.			
	5,603,723	2/18/97	ARANYI ET AL.			
	5,626,578	5/6/97	TIHON			
	5,626,609	5/6/97	ZVENYATSKY ET AL.			
	5,630,833	5/20/97	KATSAROS ET AL.			
	5,637,110	6/10/97	PENNYBACKER ET AL.			
	5,643,294	7/1/97	TOVEY ET AL.			
	5,647,869	7/15/97	GOBLE ET AL.			
	5,647,871	7/15/97	LEVINE ET AL.			
	5,649,959	7/22/97	HANNAM ET AL.			

Examiner

Date Considered

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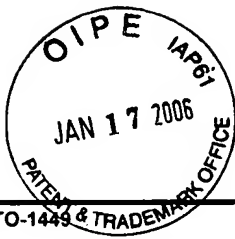
Form PTO-1449 TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number (Optional) 2901US(203-3634PCTUS)	Application Number 10/552,666
	Applicant Chapman et al.	
	Filing Date October 4, 2005	Group Art Number

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	5,658,281	8/19/97	HEARD			
	5,662,667	9/2/97	KNODEL			
	5,667,526	9/16/97	LEVIN			
	5,674,220	10/7/97	FOX ET AL.			
	5,681,282	10/28/97	EGGERS ET AL.			
	5,693,051	12/2/97	SCHULZE ET AL.			
	5,695,522	12/9/97	LEMAIRE, III ET AL.			
	5,700,261	12/23/97	BRINKERHOFF			
	5,702,390	12/30/97	AUSTIN ET AL.			
	5,707,369	1/13/98	VAITEKUNAS ET AL.			
	5,709,680	1/20/98	YATES ET AL.			
	5,716,366	02/10/98	YATES			
	5,720,744	2/24/98	EGGLESTON ET AL.			
	5,727,428	3/17/98	LEMAIRE, III ET AL.			
	5,735,848	4/7/98	YATES ET AL.			
	5,743,906	4/28/98	PARINS, ET AL.			
	5,755,717	5/26/98	YATES ET AL.			
	5,766,130	6/16/98	SELMONOSKY			
	5,766,166	6/16/98	HOOVEN			
	5,766,170	6/16/98	EGGERS			
	5,769,849	6/23/98	EGGERS			
	5,776,128	7/7/98	EGGERS			
	5,776,130	7/7/98	BUYSSE ET AL.			
	5,779,701	07/14/98	MCBRAYER ET AL.			
	5,792,137	8/11/98	CARR ET AL.			

Examiner	Date Considered
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Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.



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Sheet

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19

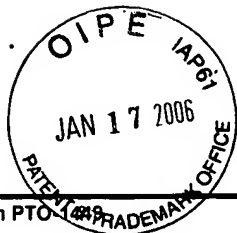
Form PTO-1449 & TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number (Optional) 2901US(203-3634PCTUS)	Application Number 10/552,666
	Applicant Chapman et al.	
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U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	5,792,177	8/11/98	KASEDA			
	5,797,938	08/25/98	PARASCHAC ET AL.			
	5,797,958	08/25/98	YOON			
	5,800,449	9/1/98	WALES			
	5,810,808	9/22/98	EGGERS			
	5,810,811	09/22/98	YATES ET AL.			
	5,814,043	9/29/98	SHAPETON			
	5,817,083	10/6/98	WILLIAMSON, IV ET AL.			
	5,820,630	10/13/98	LIND			
	5,827,271	10/27/98	BUYSSE ET AL.			
	5,827,279	10/27/98	HUGHETT ET AL.			
	5,827,281	10/27/98	LEVIN			
	5,833,690	11/10/98	YATES ET AL.			
	5,843,080	12/1/98	FLEENOR ET AL.			
	5,849,022	12/15/98	SAKASHITA ET AL.			
	5,853,412	12/29/98	MAYENBERGER			
	5,876,401	3/2/99	SCHULZE ET AL.			
	5,891,141	4/6/99	RYDELL			
	5,891,142	4/6/99	EGGERS ET AL.			
	5,893,863	04/13/99	YOON			
	5,893,875	4/13/99	O'CONNOR ET AL.			
	5,902,301	5/11/99	OLIG			
	5,906,630	05/25/99	ANDERHUB ET AL.			
	5,908,420	7/1/99	PARINS, ET AL.			
	5,913,874	6/22/99	BERNS ET AL.			

Examiner	Date Considered
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Form PTO-1489 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number (Optional) 2901US(203-3634PCTUS)	Application Number 10/552,666
	Applicant Chapman et al.	
	Filing Date October 4, 2005	Group Art Number

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	5,921,984	7/13/99	SUTCU ET AL.			
	5,935,126	8/10/99	RIZA			
	5,944,718	8/31/99	DAFFORN ET AL.			
	5,951,549	9/14/99	RICHARDSON ET AL.			
	5,954,720	9/21/99	WILSON ET AL.			
	5,976,132	11/2/99	MORRIS			
	5,989,277	11/23/99	LEMAIRE, III ET AL.			
	6,004,335	12/21/99	VAITEKUNAS ET AL.			
	6,010,516	1/4/00	HULKA ET AL.			
	6,024,741	2/15/00	WILLIAMSON ET AL.			
	6,024,744	2/15/00	KESE ET AL.			
	6,033,399	3/7/00	GINES			
	6,039,733	3/21/00	BUYSSE ET AL.			
	6,041,679	3/28/00	SLATER ET AL.			
	6,050,996	4/18/00	SCHMALTZ ET AL.			
	6,053,914	4/25/00	EGGERS ET AL.			
	6,053,933	4/25/00	BALAZS ET AL.			
	6,083,223	7/4/00	BAKER			
	6,086,586	7/11/00	HOOVEN			
	6,090,107	7/18/00	BORGMEIER ET AL.			
	6,096,037	8/1/00	MULIER ET AL.			
	6,099,550	8/8/00	YOON			
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	6,110,171	8/29/00	RYDELL			
	6,113,596	9/5/00	HOOVEN ET AL.			

Examiner	Date Considered
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Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
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	6,152,923	11/28/00	RYAN			
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	Filing Date October 4, 2005	Group Art Number

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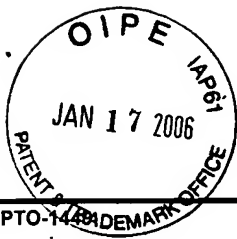
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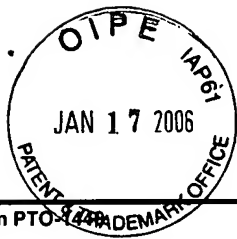
Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number (Optional) 2901US(203-3634PCTUS)	Application Number 10/552,666
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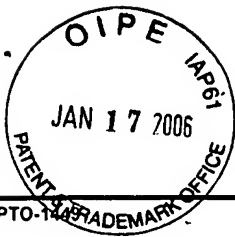
Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number (Optional) 2901US(203-3634PCTUS)	Application Number 10/552,666
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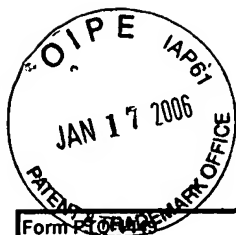
Form PTO-1445 TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number (Optional) 2901US(203-3634PCTUS)	Application Number 10/552,666
	Applicant Chapman et al.	
	Filing Date October 4, 2005	Group Art Number

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		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
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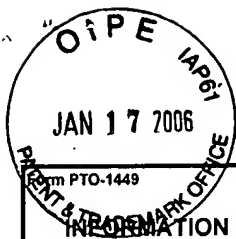
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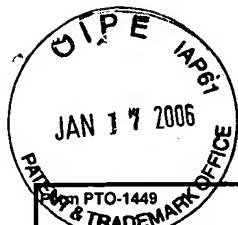
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INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number (Optional) 2901US(203-3634PCTUS)	Application Number 10/552,666
	Applicant Chapman et al.	
	Filing Date October 4, 2005	Group Art Number

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